

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

\* \* \*

LESLIE J. SHAW,

Plaintiff,

v.

CITIMORTGAGE, INC.; *et al.*,

Defendants.

3:13-CV-0445-LRH-VPC

ORDER

Before the court is plaintiff Leslie J. Shaw's ("Shaw") motion for leave to file a second amended complaint. Doc. #105.<sup>1</sup>

A party may amend its pleadings after a responsive pleading has been filed by leave of court. FED. R. CIV. P. 15(a)(2). Leave of court to amend should be freely given when justice so requires and when there is no undue delay, bad faith, or dilatory motive on the part of the moving party. *See Wright v. Incline Village General Imp. Dist.*, 597 F.Supp.2d 1191 (D. Nev. 2009); *DCD Programs, LTD v. Leighton*, 883 F.2d 183 (9th Cir. 1987).

Here, Shaw requests leave to amend his complaint to add additional causes of action against defendants. *See* Doc. #105. A copy of the proposed amended complaint is attached to the motion in accordance with LR 15-1. Doc. #105, Exhibit 1. The court finds that there is no undue delay, bad faith, or dilatory motive on behalf of Shaw in requesting leave to amend his complaint. Further, the

<sup>1</sup> Refers to the court's docket entry number.

1 court finds that the matter is early in litigation and that the defendants would not be prejudiced by  
2 allowing amendment. Finally, the court notes that Shaw, who was previously representing himself  
3 pro se, is now represented by counsel and that in light of his representation good cause exists to  
4 allow Shaw to amend his complaint. Accordingly, the court shall grant Shaw's motion for leave to  
5 file a second amended complaint.

6  
7 IT IS THEREFORE ORDERED that plaintiff's motion for leave to file a second amended  
8 complaint (Doc. #105) is GRANTED. Plaintiff Leslie J. Shaw shall have ten (10) days after entry  
9 of this order to file the amended complaint attached as Exhibit 1 to the present motion (Doc. #105,  
10 Exhibit 1).

11 IT IS FURTHER ORDERED that defendants' motions to dismiss (Doc. ##57, 60) are  
12 DENIED without prejudice.

13 IT IS SO ORDERED.

14 DATED this 19th day of August, 2014.

15  
16   
17 LARRY R. HICKS  
18 UNITED STATES DISTRICT JUDGE  
19  
20  
21  
22  
23  
24  
25  
26